

FINAL

**THE THIRD TAXING DISTRICT  
MAY 10, 2004  
REGULAR MEETING**

**ATTENDANCE:** David Brown, Chairman; Stephen Feinstein; Paul Coggin; John Stoops

**STAFF:** George Leary, General Manager; Attorney Larry Dennin

Mr. Brown called the meeting to order at 7:10 pm.

**PUBLIC COMMENT**

Melba Rose spoke about the noise and pollution from the I-95 now that all the trees in front of her house have been cut down and a parking lot for the Norden employees has been made instead. Ms. Rose went on to say that also as a result from the lack of trees there have been increased levels of water in her backyard.

Mr. Stoops asked how many trees had been cut down. Ms. Rose replied that approximately 35 had been taken down.

**APPROVAL OF THE MINUTES FROM APRIL 26, 2004**

**\*\* MR. FEINSTEIN MOVED APPROVAL OF THE MINUTES FROM APRIL 26, 2004 AS AMENDED.**

**\*\* MR. COGGIN SECONDED.**

The following corrections were made:

Page one, under attendance delete everything in parenthesis. Page two, under Vanderbilt, in the second line, delete the city and replace with Vanderbilt. Page three, in the first line Chairman Brown withdrew his second. Page three, last paragraph, in the ninth line, after Mr. Snow insert and Mr. Leary; in the last line delete city's and replace with district's. Page four correct the spelling of Siting Council. Page five, under fiscal year 03-04. After the first sentence, insert the following: In the memo circulated by Mr. Leary he recommended increasing fuel adjustment clause from 5 mils to 12 mils. Page five, final motion correct the spelling of mils. Page six, delete the first twelve words of the first paragraph.

**\*\* MOTION PASSED UNANIMOUSLY.**

**\*\* MR. BROWN MOVED TO ADD TO THE AGENDA ITEM 2A – GENERAL MANAGER'S REPORT**

**\*\* MR. FEINSTEIN SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

### **GENERAL MANAGER'S REPORT**

Mr. Leary indicated that regarding the accounting he has been seeking proposals to replace Kim Snow who will be leaving around November, although the date is not certain. Also the customer accounts analyst will be out for six to eight weeks in June and July. Mr. Leary stated that he needed guidance with regard to hiring a replacement CPA firm now or later as there would need to be a transition time.

Mr. Coggin suggested they use a temporary accounting firm for both positions.

Mr. Brown asked how much time would be needed for transition. Mr. Leary replied that one to two months would be adequate and suggested the new CPA firm work on the audit field work with Mr. Snow. He added that some CPA firms have bookkeeping staff and they might be able to use someone of this nature to fill in for the customer account analyst.

Mr. Coggin requested that Mr. Leary provide them with some concrete options including the pros and cons and what this will do to the budget.

With regard to the library parking, Mr. Leary stated that there is a need to repair the library parking lot.

Mr. Coggin asked Mr. Leary to get bids on what it would cost to repair the lot including money for decorative fencing and lighting. There was discussion on whether the fence and light was appropriate due to the constraints of the budget.

Mr. Stoops said there is no sense of urgency on this and suggesting deferring until it does.

Mr. Leary stated that he had received three prices for the rack body truck and they are good for thirty days. Mr. Brown asked Mr. Leary to put them together and make a recommendation.

Mr. Leary stated that they had receive a grievance by the meter technicians to hire a meter reader and meter tester – he said that this was withdrawn on the eve of the hearing and there will be no arbitration.

Mr. Leary indicated that the first meeting in June would be held upstairs in the library.

Mr. Coggin said because Mr. Leary had not mentioned this in his report, he wished to know the status of the 2001/02 audit.

Mr. Leary replied that he had been in contact with Craig Kanzel regarding the \$4,500 bill sent for extra work and when they would receive the audit. He said there was nobody around to answer any questions and no back up information in the packet.

Mr. Coggin confirmed that the bill for \$4,500 was over and above the fixed fee and that the state deadline was April 30, 2004.

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Mr. Leary agreed that they were past the deadline and that he had spoken to the state regarding the situation and that he had filed for an extension.

Mr. Dennin stated that when a fixed fee has been exceeded it is the duty of the firm to notify the client.

### **CONTRACT APPROVAL FOR CITY LOAD REDUCTION PROJECT**

Mr. Leary indicated that Mr. Stern could not be present, however he would be available to answer questions using the speakerphone. He referred to the agreement included in the packet noting that Corporation Counsel would be getting back to him with their final comments. Mr. Leary suggested, in the interest of time, that they approve the agreement this evening so that it could be forwarded to Mr. Dennin.

There was a discussion on whether the Third Taxing District Electric Department would enter into contracts.

Mr. Brown asked for clarification with regard to the penalty (to the Third Taxing District) if the generators do not come on. Discussion ensued on the liability of turning the generators on and off and would be notified of such action.

Mr. Coggin referred to a list of his concerns sent to Mr. Leary – he went through each point; specifically to the capping of any required permits that they would have to pay for.

Mr. Feinstein pointed out that it was important to get the agreement in place. He commended Mr. Leary, Mr. Dennin and Mr. Brown on producing the contract.

**\*\* MR. COGGIN MOVED TO APPROVE THE DRAFT AGREEMENT DATED 05/04/04 FOR SUPPLEMENTAL INSTALLED CAPACITY BETWEEN THE THIRD TAXING DISTRICT ELECTRICAL DEPARTMENT AND THE CITY OF NORWALK SUBJECT TO TONIGHT'S DISCUSSION AND FINAL REVIEW BY DISTRICT COUNSEL AND CMEEC COUNSEL.**

Mr. Feinstein stated that they did not have the city's input at this point.

Mr. Dennin explained the process of the contract reiterating Mr. Feinstein's point that they would need the final approval from the city. He suggested that they have a special meeting when they have all three contracts in place.

**\*\* MOTION FAILED, DUE TO LACK OF A SECOND.**

### **GENERATION PROJECT UPDATE AND ACTIONS**

This item was discussed at the end of the public meeting in executive session.

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### **EMPLOYEE RATE CHANGE**

Mr. Leary referred to his memo in the packet regarding the increase of the customer account analyst pay be increased by 57c on June 1 and by \$2 on September 19, 2004.

Mr. Feinstein stated that this is done as part of the collective bargaining agreement.

Mr. Coggin suggested they give the customer account analyst the \$2 raise in June to get her into that cycle.

**\*\* MR. COGGIN MOVED APPROVAL THAT THE PAY ADJUSTMENT FOR THE CUSTOMER ACCOUNTS ANALYST PREVIOUSLY SCHEDULED FOR SEPTEMBER 19, 2004 BE MOVED TO JUNE 1, 2004 TO CO-INSIDE WITH THE REST OF THE UNION STAFF. THE PAY INCREMENTS WILL REMAIN AS THEY ARE IN THE SCHEDULE FROM \$15 TO \$17. THE NEXT INCREMENT WILL BE IN JUNE 15, 2005.**

Mr. Feinstein confirmed that they are modifying her portion of the collective bargaining agreement for date of pay increments.

**\*\* MR. BROWN SECONDED.  
\*\* MOTION PASSED UNANIMOUSLY.**

### **REVIEW OF CREDIT AND COLLECTION PROCESS**

Mr. Leary requested guidance on items 1,2 and 3 on the memo dated May 6, 2004 regarding the cost of a loan. He read all three items.

Mr. Coggin suggested they review this and provide their comments directly to Mr. Leary.

Mr. Leary said they will test the process, see what works and write up the results.

Mr. Coggin asked for different examples to be brought back to them.

### **CONSIDERATION OF ADDITIONAL AUDIT COSTS FOR '02 AND '03 AUDIT**

Item discussed under General Manager's Review (Item 2a).

The next two items were taken out of order.

### **PARTICIPATION IN THE MEMORIAL DAY PARADE**

Mr. Brown suggested nothing too flashy and that they dress up the digger truck.

There was brief discussion on the donation of time to drive the vehicles in the parade.

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Mr. Feinstein said that he would like to also see the electrical truck and the meter reading truck be dressed up for the parade.

### **JULY MEETING DATE**

Mr. Leary indicated that he would be out the first two weeks of July and wished the Commissioners to recognize that he would not have a full report for the July meeting.

**\*\* MR. BROWN MOVED TO GO INTO EXECUTIVE SESSION TO DISCUSS  
THE GENERATION PROJECT UPDATE AND ACTIONS.**

**\*\* MR. FEINSTEIN SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

Commissioners Brown, Feinstein and Coggin, Mr. Stoops and Mr. Leary went into executive session at 9:40 pm and reconvened into public session at 10:35 pm.

The following action was taken regarding the Generation Project:

**\*\* MR. COGGIN MOVED TO AUTHORIZE CMEEC TO ENTER INTO A  
LETTER OF INTENT TO PURCHASE THREE CATERPILLAR DIESEL  
GENERATOR SETS OR EQUIVALENT INCLUDING INSPECTION  
SERVICES.**

**\*\* MR. BROWN SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

### **ADJOURNMENT**

**\*\* MR. FEINSTEIN MOVED TO ADJOURN**

**\*\* COGGIN SECONDED.**

**\*\* MOTION PASSED UNANIMOUSLY.**

Meeting was adjourned at 10:40 pm.

Respectfully submitted,

Kate Kye  
Telesco Secretarial Services